

REMARKS

The Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated April 12, 2010 has been received and its contents have been carefully reviewed.

Summary of the Office Action

Claims 1, 3-6, 8 and 9 stand rejected under 35 U.S.C. §102(c) as being anticipated by U.S. Patent No. 5,854,873 to Mori et al. Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Mori et al. in view of U.S. Patent No. 6,002,837 to Niida et al.

Summary of the Response to the Office Action

Claim 1 has been amended to further clarify the invention. Accordingly, claims 1 and 3-9 are pending in the present invention for further consideration. Applicants respectfully request favorable reconsideration in view of the remarks presented herein below.

All Claims Define Allowable Subject Matter

Claims 1, 3-6, 8 and 9 stand rejected under 35 U.S.C. §102(c) as being anticipated by U.S. Patent No. 5,854,873 to Mori et al. Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Mori et al. in view of U.S. Patent No. 6,002,837 to Niida et al.

Applicants respectfully traverse the rejection for at least the following reasons.

With respect to independent claim 1, as amended, Applicants respectfully submit that

Mori et al. does not disclose the claimed combination including at least the feature of an editor in which “a recorder compresses the new moving image data each time the new moving image data is made for a predetermined period and records a new moving image file including the compressed new moving image data” In the present invention, as claimed, an editor reads a compressed moving image file from the recording medium (see paragraph [0113]). Then, the editor decodes the compressed moving image file (see paragraph [0114]), edits the image data in response to the scenario evaluated by the scenario evaluation circuit and makes a new moving image data successively (see paragraph [0115]). The recorder then compresses the new moving image data each time the new image data is made for a predetermined period (see paragraph [0115]), and the recorder records the compressed new moving image data as a new moving image file into the recording medium (see paragraph [0116]). After all new moving image data is compressed, the recorder records them as a new moving image file into the recording medium and the compressed new moving image data is transferred to the recording medium sequentially.

Mori et al. fails to teach or suggest that a recorder compresses the new moving image data each time the new moving image data is made for a predetermined period and records a new moving image file including the compressed new moving image data, as claimed. Mori et al. merely discloses generating a new multimedia bitstream MBS by re-encoding the original multimedia bitstream MBS, according to the scenario desired by the user.

Furthermore, Niida et al. does not overcome the deficiency discussed above of Mori et al. Accordingly, Applicants respectfully submit that the rejection of independent claim 1 should be

withdrawn.

In addition, claims 3-9 depend from allowable independent claim 1. Applicants respectfully submit that these dependent claims also are allowable at least because of the additional features recited therein and the reasons set forth above.

CONCLUSION

In view of the foregoing, Applicants respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: /Mary Jane Boswell/

Mary Jane Boswell

Reg. No. 33,652

Dated: October 11, 2010

Customer No.: 009629

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Telephone: 202-739-7000

Facsimile: 202-739-3001